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Viewing cable 06MANAGUA1105, NICARAGUA: DEMOCRACY PROMOTION PROGRESS REPORT

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| Reference ID | Created | Released | Classification | Origin |
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| 06MANAGUA1105 | 2006-05-19 19:05 | 2011-08-30 01:44 | SECRET//NOFORN | Embassy Managua |

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S E C R E T MANAGUA 001105

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DEPT FOR WHA/CEN

E.O. 12958: DECL: 05/12/2016
TAGS: PGOV PINR PREL KDEM KCOR NU
SUBJECT: NICARAGUA: DEMOCRACY PROMOTION PROGRESS REPORT

REF: A. MANAGUA 1079

1B. 05 MANAGUA 3213
1C. 05 MANAGUA 2719

Classified By: Ambassador Paul Trivelli for reasons 1.4 (b and d)

11. (C) Summary: This cable update's post's democracy promotion strategy submitted in October and reviewed in December 2005 (refs B and C). Now that the executive will in all likelihood remain in place through the end of President Bolanos' term, we must focus on the results of Nicaragua's national elections. Nicaragua faces an electoral crossroads in -- the five-way race may increase the chances of an FSLN victory, but at the same time offers the Nicaraguan people the tools to break from the corrupt caudillo rule of the past. The USG can best help Nicaraguans exercise this option by ensuring free and fair elections, encouraging support for democratic candidates, reminding Nicaraguans of the perils of returning to the past, and encouraging high voter participation. End Summary.

Ensure Free and Fair Elections

12. (C) The foundation of our strategy to ensure free and fair elections in November consists of technical support to the CSE, observation, voter education and awareness, and training of elections officials and monitors. On the political side, we must work to ensure that the will of the Nicaraguan people is not thwarted by exclusion of dissident candidates by Nicaragua's politicized courts or judicial system. The following is a summary of our accomplishments to date and planned activities:

- Technical Support to CSE: The OAS plans to provide a set of recommendations to the Supreme Electoral Council (CSE) via an elections expert to improve the CSE's electoral regulations. According to elections team leader Gustavo Fernandez, these recommendations will help clarify the elections ground rules and allow the CSE less room for subjective maneuvering during the period of legal challenges to voting results. IFES is

offering to support the technical training to CSE staff (including the partisan officials that man the voting tables), the drafting and production of regulations manuals, and web site design.

- Observation: The OAS will field an international observation mission with USG support. (Note: Emboffs plan to participate in the OAS mission. End Note.) Through local NGO Ethics and Transparency (ET), NDI will help fund a local observation team and national quick count on election day. (Comment: The quick count is crucial since the CSE does not plan to release preliminary voting results until two weeks after election day -- plenty of time for the PLC and FSLN to meddle with the vote count. End Comment.) The European Union, local NGO IPADE, and others will also field observation teams on election day.

- Training for Elections Monitors: IRI will hold training seminars for the official voting observers (fiscales) of the non-pact parties (ALN, MRS, and AC). IRI will not train fiscales from the PLC and FSLN since, given the electoral regulations, these parties are automatically represented at each voting table and will receive training through IFES.

- Ensuring Democratic Choice: Nicaragua is anticipating historical elections in November as the political spectrum has seen major splits on both the Right (Eduardo Montealegre) and the Left (Herty Lewites) in response to the corrupt and anti-democratic activities of the two major parties. Contacts have warned us on numerous occasions that the PLC and FSLN may abuse their positions in the CSE or justice system to disqualify Lewites and/or Montealegre. Ambassador has repeated on numerous occasions that the inhibition of either of these alternative candidates would impugn the credibility of the elections. The Swedish and Finnish ambassadors have repeated this declaration. Post and Washington must work to promote this message and encourage other local embassies (especially donor countries) to do the same.

Encourage Support of Democratic Candidates

¶3. (S/NF) The inscription of political alliances at the CSE on May 11 marked a watershed in negotiations to unite the Liberal forces. Ultimately, Montealegre refused to join with a PLC controlled by Arnoldo Aleman, while former "Third Way" presidential candidate Jose Antonio Alvarado embraced the PLC in exchange for the party's vice presidential nomination. The alliances have until May 31 to register candidates for elected positions, and, as senior Montealegre advisor Edmundo Leal recently informed poloff, the ALN is holding open its first national deputy position, possibly in anticipation of a defection from a senior member of the PLC. The USG should encourage support of democratic candidates by encouraging funds to flow in the right direction; promoting defections of salvageable individuals from the PLC camp; granting Montealegre high-profile meetings in the United States; bringing internationally recognized speakers to discuss successful reform campaigns; and countering direct partisan support to the FSLN from external forces (notably Venezuela and Cuba):

- Directing Funds: After numerous discreet meetings with Emboffs and others on the subject, post has received information from several sources that major Nicaraguan financier Carlos Pellas has decided to back Montealegre and withdraw support from PLC candidate Jose Rizo. (Note: Local media outlets recently reported that Mexican capital is contributing to Rizo's campaign. End Note.) We should continue to encourage Pellas and other Nicaraguan and international financiers to "do the right thing" by supporting Montealegre (or Lewites). The PLC's most credible talking point on why major actors should back them instead of Montealegre is that only they have the "party structure" and recognition to defeat the FSLN. Montealegre's advisors have assured us that they too can build an adequate party structure with sufficient funding -- an ALN-affiliated NGO

recently submitted a \$1.3 million proposal to IRI to train ALN candidates and poll watchers. (Comment: Nicaraguan capital typically provides to support to all sides in an election -- including the FSLN. This behavior is likely to continue. Thus, our goal should be to sway the great majority of these funds to the democratic candidates. End Comment.)

- Promoting Defections: Several high-profile National Assembly deputies have left PLC and ally parties for the ALN. These include Alfonso Ortega Urbina and Bladimir Pineda (formerly PLC), and Delia Arellano (formerly Camino Cristiano). More recently, APRE president Miguel Lopez Baldizon joined the ALN caucus and National Assembly president Eduardo Gomez is expected to follow suit after he returns from medical treatment abroad. In addition, much of the PLC's departmental leadership has defected to the ALN, and several PLC mayors covertly support Montealegre. A senior Montealegre advisor recently credited Emboff's reporting trips to the departments to meet with local leaders and explain USG policy as "very helpful" in this regard. In addition, Polcouns recently facilitated contacts between Montealegre and Yatama dissidents unhappy with leader Brooklyn Rivera's self-serving deal with FSLN leader Daniel Ortega. These meetings resulted in a highly publicized alliance between Montealegre and the Yatama group on May 14. Poloffs also exploited a break in PLC-APRE alliance negotiations to facilitate an APRE rapprochement with the ALN that resulted in a last-minute surprise alliance with Montealegre. Arnoldo Aleman and other PLC leaders have promised positions on the PLC's deputy slate to numerous Liberals -- reportedly far more than the PLC can accommodate. After the PLC is forced to define its slate on May 31, Emboffs will meet with senior PLC leaders who may be disappointed with the results and susceptible to defection.

- Comment on Primaries Proposal: In April, post developed and presented a proposal for multi-party primaries to all factions (including the PLC) that had expressed an interest in such a project. Although the proposal was accepted only by the ALN, it forced the other parties to "show their cards" regarding their real interest in internal reform and highlighted the ALN as the only truly democratic Liberal force. End Comment.

- Meetings for Montealegre: The Nicaraguan political class is quite savvy reading the "winds of change" in Washington. The tabloid press has already reported on Jose Rizo's inability to secure high-level meetings with USG officials. Such attention would confirm Montealegre's status as a candidate acceptable to the USG to those Liberals sensitive to our preferences. These meetings should be balanced by similar, parallel offers to Herty Lewites as the other democratic candidate.

- Present Successful Dissident Leaders: A significant obstacle for Montealegre and Lewites is the belief among many Liberal and Sandinista voters that only the PLC and FSLN, regardless of the sins of their leaders, have the strength to defeat the other. Post would like the Department's assistance to sponsor a series of "reformist leaders" such as Vaclav Havel, Ukrainian President Viktor Yushchenko, Georgian President Mikheil Saakashvili, and Lech Walesa, to explain to the Nicaraguan people how their dissident movements were able to bring down the corrupt old guard and strengthen democracy in their respective countries.

- Countering External Support to FSLN: In addition to Venezuelan president Hugo Chavez' brazen and direct endorsement of FSLN candidate Daniel Ortega, Venezuela and Cuba have been providing increased financial and material support to FSLN leaders (ref A). Cuba and Venezuela have given programming, press footage, transmitters, and other equipment as well as money to Sandinista media outlets. Sixty Venezuelan "trainers" recently visited FSLN Pacific coast mayors to teach them to get out the vote (the Chavez way). In addition, Venezuela has provided loans and fertilizer to farmers in FSLN districts, offered medical

services, and promised to supply Sandinista mayors with discounted oil. To assist in electoral fraud, Venezuela has provided the CSE with poor quality ink (easily wiped off to facilitate multiple voting) and has reportedly rigged the delegation of Latin America Electoral Council (CELA) delegates by "screening" the members for the Nicaraguan elections. Post does not have the funding and programmatic flexibility that the Venezuelans enjoy and would appreciate guidance on how to counter Chavez' strategy.

Remind Nicaraguans of the Perils of Returning to the Past

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¶4. (C) The official voting age in Nicaragua is 16, and given the base-heavy age pyramid in the country, a large number of potential voters do not remember the "bad old days" of Sandinista rule -- only the corruption and ineffectiveness of subsequent Liberal governments. The USG should ensure that the electorate is reminded that a return to Sandinismo under the un-reformed leadership of Daniel Ortega -- or a party controlled by Arnoldo Aleman -- would be tragic for the country by advertising the atrocities committed by the Sandinista Army against Atlantic Coast indigenous groups in the 1980s, promoting Zoilamerica Narvaez' human rights abuse case against stepfather Ortega before the Inter-American Human Rights Council, facilitating corruption/money-laundering cases pending against Aleman in Nicaragua, Florida, Panama, and the Dominican Republic, encouraging the European Union and others to declare Aleman persona non grata, and working with the Elections Donor Group to issue a statement warning Nicaraguans of the consequences of an Ortega or Aleman-controlled government.

- Sandinista Atrocities: USAID is funding a CPDH project to document interviews recounting Sandinista atrocities on the Atlantic Coast in the 1980s involving a dirty war of forced marches, disappearances, crop burning, and assassinations, primarily targeting the Miskito Indian population. The project, still in development, has already generated considerable consternation in the Sandinista ranks (resulting in death threats to the organizers) and generated more sympathy for the ALN among the indigenous population. Some Miskito contacts believe that a press conference announcing the preliminary results a few days before the March 5 Atlantic Coast regional elections may have cost the FSLN votes (the party indeed fared significantly worse than polls predicted). We should continue to support CPDH and ensure that the results are brought to the Nicaraguan public's attention before November. An ad campaign to remind voters of the past and its impediments in promoting new economic opportunities is essential as is the timing of the campaign. Post seeks funds for big media buys on radio and television beginning in August and peaking in October.

- The Narvaez Case: Daniel Ortega's stepdaughter, Zoilamerica Narvaez, brought a case against Ortega in 1998 for rape, sexual abuse, and sexual harassment but the case was suppressed in Nicaragua for political reasons. Narvaez is interested in continuing her case before the Inter-American Human Rights Commission (IAHRC). Zoilamerica submitted a letter to the IAHRC on April 8, confirming her interest in continuing her case, and noting that an amicable settlement with the GON had not succeeded. Subsequently, IAHRC director Santiago Canton Nelson contacted her in fall 2002 and offered his support. According to Zoilamerica, the GON ceased its negotiations with her in fall 2002 as part of its agreement with Ortega to support the removal of Aleman's immunity. Embassy is drawing on its democracy funds to CPDH to assist Narvaez in advancing her own case as well as strengthening her foundation Sobrevivientes (Survivors), which deals with domestic violence. Narvaez will visit Miami in June under the sponsorship of Vital Voices and then wishes to travel to Washington to meet with OAS and State Department officials as well as with NGOs possibly interested in advancing her case. Post has sought desk assistance in arranging appointments at the Department and with NGOs. By our facilitating Narvaez' efforts to obtain a hearing, attention will be drawn towards Ortega's character and gender issues in Nicaragua.

- **Aleman's Trials:** Arnaldo Aleman is currently serving a 20-year sentence for money laundering and fraud in Nicaragua, although he has been granted a "medical parole" by a friendly judge that allows him to move freely around Managua. Fervent Arnoldistas repeat that his conviction was politically motivated and that Aleman is being persecuted by his enemies in the FSLN and Bolanos Administration. In addition to his current conviction, however, Aleman and his family are the subjects of a civil forfeiture trial and criminal investigation in Florida, a criminal investigation in the Dominican Republic, a criminal trial in Panama (in which a judge found probable cause at a preliminary hearing on May 17), and an additional criminal investigation in Nicaragua, where prosecutors expect an indictment in early August. Nicaraguan investigators will travel to the National Drug Intelligence Center in Pennsylvania June 4-17 to analyze documents and organize evidence for the case. Nicaraguan investigators and prosecutors are ready and willing to assist the USG and other governments to pursue the other cases against Aleman. The USG should take advantage of these resources and pursue convictions against Aleman and his relatives without delay. Foreign convictions would severely damage the Arnoldista's claims that Aleman's local conviction was purely a political maneuver and hopefully weaken the PLC leadership's commitment to this corrupt individual.

- **Declaring Aleman Persona Non Grata:** A series of U.S. visa revocations against corrupt PLC officials weakened the PLC's resolve and has caused a few leaders to leave the PLC or re-think their allegiance to Aleman. The hard core Alemanistas that remain in the PLC, however, have claimed that further revocations will not weaken the resolve of the loyalists and have tied the revocations to USG support for Montealegre. Action against Aleman, his family, and core supporters from other countries would send an unequivocal signal that Aleman is not an acceptable actor on the international stage and defray the accusation that he is suffering politically-motivated persecution from the USG. Post understands that Spain is working to have Aleman declared persona non grata in the Schengen Group of European countries. The Panamanian court's May 15 order of preventative detention for Aleman, his wife Maria Fernanda, farther-in-law Jose Antonio Flores Lobo, and Byron Jerez may serve to discourage Nicaraguan voter support for the PLC and could encourage more politicians to rally around Montealegre.

The USG should support this initiative and encourage other countries, especially in Latin America, to take similar action.

- **Donor Group Statement:** Emboffs have worked with like-minded countries to form an Elections Donor Group and coordinate funding. The Donor Group has committed to activities such as observation, fiscal and party official training, cedula production and distribution, and voter registration. The Donor Group could send a powerful message by releasing a joint statement explaining that Donor Group countries are committed to helping Nicaragua conduct free and fair elections and will respect the results of such an election; however, Group members would have to seriously reconsider current aid packages if a government controlled by Ortega or Aleman obtains power. Local officials at the German and Dutch embassies have expressed tentative approval for such a statement. Emboffs will continue to meet with local counterparts, and conversations at the Foreign Ministry level would also be useful. (Note: Sweden and Denmark recently cut off funding to the politicized and corrupt Human Rights Ombudsman. End Note.) The Donor Group is comprised of: Japan, Canada, Finland, Norway, Denmark, Spain, the Netherlands, Sweden, Germany (currently holds the EU presidency for Luxembourg), the European Union Delegation, and the U.S.

Encourage High Voter Participation

15. (C) According to historical trends, Nicaraguan voter participation in national elections has been high (over 85%),

which has been a key factor contributing to FSLN defeats. FSLN voters tend to be more disciplined and organized, as shown in regional and municipal elections where FSLN supporters have provided a predictable core voting base. Conversely, Liberal and independent voters have shown less inclination to vote consistently. Disturbingly, the CSE has over 200,000 national ID/voting cards (cedulas) that remain undistributed and also faces a significant backlog of cedulas yet to be produced. To ensure high turnout on election day, we must encourage Nicaraguans to obtain a cedula and vote, while facilitating the production and distribution of cedulas to all qualified voters:

- Get Out the Vote: IRI is sponsoring focus groups, conferences, and workshops on political party activities as well as funding a voter education campaign that encourage citizens to obtain a cedula, verify their status on the voter registry, and participate in the electoral process. Through JUDENIC, IRI is planning a "Rock the Vote" campaign to target youth voters which make up more than sixty percent of the voting population. NDI is working with ET to conduct a national review of the official voter lists (padron). Potential voters will not only recognize the importance of the youth vote.

- Distribution of Cedulas: IFES has completed an inventory of the approximately 200,000 cedulas produced by the CSE but not recovered by their owners. IFES plans to execute a public information campaign to encourage voters to retrieve their cedulas and also assist the CSE to transport the cedulas to more accessible locations using mobile units. Emboffs are encouraging CSE officials to facilitate IFES activities. NDI, through ET and UCA, is conducting a review of the cedula issuance process to determine where delays are present in the CSE pipeline and whether or not partisan influence factors into the efficiency of cedula issuance. NDI is also funding, through Movimiento por Nicaragua (MpN), Citizen Attention Centers to help Nicaraguans complete the paperwork necessary to obtain a cedula.

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